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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/409,128    09/30/99    CLAPPER    E    INTL-0274-US

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LM02/0120

EXAMINER

BUI, K

ART UNIT

PAPER NUMBER

2711

DATE MAILED:

01/20/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/409,128**

Applicant(s)

**Clapper**

Examiner  
**"Krista" Kleu-Oanh Bul**

Group Art Unit  
**2711**



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-30 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-30 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless -  
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.*

3. Claims 1-2, 11-12, 4-8, 14-17, 20-22, 24-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Schein et al. (U.S. Patent No. 6,002,394).

*(continued)*

Regarding claims ~~1-11~~, Schein et al. (or "Schein" hereinafter) disclose a method of linking information to video information comprising linking video information with other information based on the location of the video information on a frame and a frame identifier; and accessing other information in response to a user selection of a frame location (see Figs. 16B& 17A-17C and col.22/ lines 41-63). As for claim 20, Schein further teaches a processor-based system comprising a processor (item 312/Fig. 12); and a storage coupled to processor (item 314/Fig. 12), storing software to link to additional information based on the user's selection of a frame and frame location (item 316/Fig. 12 and col.22/ lines 41-63).

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Regarding claims <sup>2,12</sup>~~2/12~~ and 22, Schein also teaches a display grid system and specifying at least one location in grid system using coordinates, i.e., a grid system of representing times and channel according to a selected location on that grid (see Fig. 16A and col. 21/lines 20-30).

Regarding claims 4 and 14, Schein further teaches that the system includes linking to other information without encoding a hyperlink into the video information, i.e., read information on cooking information without a hyperlink (see Fig. 17C).

Regarding claims <sup>5,15</sup>~~5/15~~ and 25, the step of including linking to other information on the same medium that stores video information is taught by Schein as Schein reveals the step of storing data from cable system into a memory 314 within cable system (see col. 17/lines 35-45).

Regarding claims <sup>6,16</sup>~~6/16~~ and 24, Schein also includes linking video information on one processor-based system to other information on a separate processor-based system, i.e., while watching a movie or a program from the cable system, a user can link to other information of a news, or a cooking lesson from the TV system (see Figs 17B & 17C and col. 2/lines 33-49).

Regarding claims 7-8, 17 and 21, the steps of wherein accessing other information includes using a pointing device to select a location on a frame and wherein using a pointing device includes using a remote control unit are taught by Schein (see Figs. 11 & 16A and col. 21/lines 32-42).

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***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

5. Claims 3, 13 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al (U.S. Patent No. 6,002,394) in view of Brooks et al. (U.S. Patent No. 5,973,684).

Regarding claims <sup>3, 13</sup>~~3, 13~~ and 23, Schein teaches the incoming TV programming at antenna 30 (Fig. 1) as analog signals. The claimed "frame identifier" and "time code" are broadly recited enough to read on the characteristics of an MPEG data stream in that all frames in an MPEG data stream must be uniquely identified and have a corresponding time sequence. Brooks et al (or "Brooks" hereinafter) demonstrate the use of MPEG to deliver programming (see Brooks, Figs. 1, elements 127 & 129). It would have been obvious to one of ordinary skill in the art to realize the input signal in Schein as an MPEG data stream as taught by Brooks in order to deliver the TV programming in a high quality fashion to the user.

6. Claims 9-10, 18-19, 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al (U.S. Patent No. 6,002,394) in view of Menand et al. (U.S. Patent No. 5,563,648).

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Regarding claims 9-10 and 18-19, Schein does not specifically reveal the steps of “receiving a video stream, and pausing said video stream when accessing said other information” and “automatically resuming the playback of said video stream when the other information is no longer being accessed”, but such a technique of pausing a video program, i.e., halting it or put it in an inactive status, when the user access the other information and automatically resuming the playback of that video program when the other information is no longer accessed is taught by Menand (see Menand, col. 2/lines 36-55 and col. 11/line 48-col. 12/line 61 for method for controlling execution of a video interactive program). Therefore, it would have been obvious to one of ordinary skill in the art to modify Schein’s technique with Menand’s technique of controlling the execution of a video program by automatically suspending a first program when a second program being accessed and resuming back to the first program if the second program is no longer being accessed in order to offer an enhanced system that allow viewers not to miss any portion of a whole broadcasting program while accessing other information during the playback of that program as desired.

Regarding claims 26-27 and 30, in view of claims 9 and 10 above, the combination of Schein and Menand teaches a method of recording incoming video information comprising storing video information as received (see Schein, “Recordings”/Fig. 19A on the program guide for recording purposes), for playback in the sequence the information was received; allowing playback of any portion of stored video information while continuing to store incoming video information; and automatically pausing the playback of said video information when the user

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changes the software focus, while continuing to record the incoming video stream (see Examiner's discussion above).

Regarding claim 28, in view of claim 1 above, Schein teaches his system including linking to different video information based on the user's selection of a location and a frame on a display of video information (Figs. 16A & 16B).

Regarding claim 29, in view of claim 7 above, Schein also teaches of including automatically linking to different video information based on the user's selection of a particular frame location using a pointing device (item 210/Fig. 11).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Manand et al (US Patent 5,548,532) disclose an apparatus and method for formulating an interactive TV signal.

Crater et al (US Patent 5,982,362) disclose video interface architecture for programmable industrial control systems.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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**or faxed to:**

(703) 308-6306 or (703) 308-6296, (for formal communications intended for entry)

**Or:**

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT").

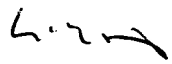
*Hand-delivered responses should be brought to Crystal Park ID, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for this Group is (703) 308-5399.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Krista Bui  
Art Unit 2711  
January 14, 2000

  
VICTOR R. KOSTAK  
PRIMARY EXAMINER